

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT Knoxville

FILED

OCT 28 2020

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

David L. Houston

(Enter above the NAME of the
plaintiff in this action.)

v.

Sergeant Kidd, et al

(Enter above the NAME of each
defendant in this action.)

3:20-mc-204

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(42 U.S.C. Section 1983)

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES () NO (✓)
- B. If your answer to A is YES, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiffs: N/A

Defendants: N/A

2. COURT: (If federal court, name the district; if state court, name the county):
N/A
3. DOCKET NUMBER: N/A
4. Name of Judge to whom case was assigned: _____
5. Disposition: (For example: Was the case dismissed? Was it appealed? Is it still pending?) N/A
6. Approximate date of filing lawsuit: N/A
7. Approximate date of disposition: N/A

II. PLACE OF PRESENT CONFINEMENT: Roger D. Wilson Detention Facility Knox Co.

- A. Is there a prisoner grievance procedure in this institution? YES (☒) NO ()
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure? YES (☒) NO ()
- C. If your answer is YES,
1. What steps did you take? Spoke to Captain Cox,
Sgt. Kidd Cpl. Harvey ect...
2. What was the result? I was denied, said they
would handle in house, Never did
- D. If your answer to B is NO, explain why not. N/A
- E. If there is no prison grievance procedure in the institution, did you complain to the prison authorities? YES (☒) NO ()
- F. If your answer is YES,
1. What steps did you take? Talked to Staff

2. What was the result? No results said they would handle it inhouse, never did

III. PARTIES

(In item A below, please your name in the first blank and place your present address in the second blank. Do the same for any additional plaintiffs.)

- A. Name of plaintiff: David L. Houston # 1172552
Present address: Roger D. Wilson Detention Facility 5001 Maloneville Rd. Knoxville, TN. 37918
Permanent home address: N/A
Address of nearest relative: FRAN MATTRESS 865-300-54

(In item B below, place the FULL NAME of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the additional names, positions, and places of employment of any additional defendants.)

- B. Defendant: Sergeant Kidd
Official position: Sgt. at Knox Co. Sheriff's Office
Place of employment: Roger D. Wilson Detention Facility Bldg. 1
Attorney Joshua Hedric, Knox Co. Sheriff's Office, Securi's Phone System
C. Additional defendants: Knox Co. Commissary, Dock Supervisor, Psychiatrist Sharon - Burnside, Medical Supervisor Dacus, All of Knox Co. Security 1st 2nd & 3rd Shift. All OFFICERS who work I-10 at the Roger D. Wilson Detention Facility. Chief Stevens, Chief Bivens
Chief Purvis, Chief Bravo, Capt. Cox, Cpt. Cooper, Cpt. Turner, Lt. Smith - Security, Lt. Sparks, Lt. Spreng, Lt. Oldham, Lt. Fritz, Sgt. Travis, Sgt. Pemberton, Sgt. Oldham, Cpl. McCoy, Cpl. Seals, Sgt. Clement, Officer Boyd Smith, Officer Yorkley, Cpl. Harvey, Officer - Thornbury, Officer Sellers, Officer J. Smith, Officer Duncan, Officer Sparks, Officer Kuban

IV. STATEMENT OF CLAIM

(State here as briefly as possible the FACTS of your case. Describe how EACH defendant is involved. Include also the names of other persons involved, dates and places. DO NOT give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.)

Excessive Force on Mentally Disabled Persons(ADA) and False
Imprisonment on a Mentally Disabled Persons(ADA) in which is a

violation of the American Disabilities Act (ADA) Also Cruel and Unusual Punishment on a Mentally Disabled Person(s)

By leaving me in a cell in disciplinary Segregation From 12/20/20 with no Mattress, sheets, blanket, toilet paper, cup, eating utensils, only the clothes I had on and no hygiene (Soap, shampoo, tooth brush, tooth paste etc...) plus wouldn't give me a towel or wash cloth to take a shower. Also I was in hand Cuffs, belly Chain (only used for court or transportation) and shackles on my ankles as punishment for 3 week. SEE: Fulgess V.

Per Sgt. Kidd's orders even though Capt. Cox told him to give my stuff back when I spoke to her (2 weeks after I was confined with out afore mentioned items. "After Capt. Cox left Sgt. Kidd came to my cell and said, You will get your Sh*t back when I say that or stay another week." Retaliation, Abuse of Authority (Brady V. Maryland (1963)., Negligence, P.T.S.D., Staff Misconduct, Violation of Rehabilitation Act (RA), Unjust Enrichment, Negligence, Denial of Equal Protection, Cruel and Unusual Condition Violation of U.S. Constitution 8th Amendment, Vulnerability to Covid-19 (Coronavirus) Medical Negligence, Accessive Medical fees, Excessive Mental Health fees, Mental Health Negligence See: Exhibit(A), Commissary Markup - Secur's phone systems for excessive costs: See: PLN Dec. 2018 pg. 34., Also on December 1st of 2019 between 8pm and 8:30pm Officer Kukanik kicked see: Exhibit(B)

Pennsylvania Dept. of Corrections 933F.3d (3d Cir. 2019)

V. RELIEF

(State BRIEFLY exactly what you want this Court to do for you. Make NO legal arguments.

Cite NO cases or statutes.)

\$100,000,000⁰⁰ (One Hundred million dollars) Law suit,
Protection from retaliation, This Lawsuit to be covered
by media T.V. News, News Paper, Radio News. And sue each individual
up to \$250,000 (Two Hundred and fifty thousand dollars.

I (We) hereby certify under penalty of perjury that the above complaint is true to the best of my (our) information, knowledge and belief.

Signed this 24TH day of October, 2020.

DAVID L. HORTON
Signature of plaintiff(s)

Exhibit (A)

Second Circuit: Discharge Health Plan Part of
in-Custody Mental Health Treatment.

Mental illness managed by drugs, Mental health conditions
got worse while incarcerated, Psychotropic Medications
not monitored by medical staff and Psychiatrist during detention

Estelle v. Gamble 429 U.S. 97 (1976) Youngberg v. Romeo, 457
U.S. 307 (1982) Supreme Courts "Special relationship -
exception" That imposes an affirmative duty to provide
for a prisoner's "safety and general well-being" due to
"the limitation which [the State] has imposed on [the
person's] freedom to act on his own behalf." See ;
In De Shaney v. Winnebago Cty. Dep't of Soc. Servs.,
489 U.S. 189 (1989)

★ Not provided with necessary discharge planning, such
that a fact-finder could infer 'reckless disregard'
beyond mere negligence or medical malpractice."
See: Charles v. Orange

Exhibit (B)

me down the steps in bldg. (1) pod (B), at the Roger D. Wilson Detention Facility while in restraints with my hands cuffed behind my back in which it cause my left side of my Jaw to be broken and took 4 plates and 17 screws and knocked my front teeth out. Also while on Suicide watch Officer Sparks aimed and shot me in the penis with a tazer that Officers have to take (a class) training course before using or being Certified to carry one. This took place at the Roger D. Wilson Detention Center in bldg. (C), pod (A) between 8pm. - 9:30 pm. I had to go to medical to remove the projectile prongs from my penis. Review Camera's on both incidents at afore mentioned dates and times., Pain and Suffering, Intimidation. Also I was found by mental evaluation Incompetant to stand trial by the State's Psychiatrist at Moccasin Bend.

David L. Houston
Knox Co. 1172552

David L. Houston #1172552
Roger D. Wilson Detention Facility
5001 Maloneyville Rd.
Knoxville, TN. 37918

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OCT 28 2020

Clerk, U. S. District Court
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At Knoxville

Eastern District of Tennessee

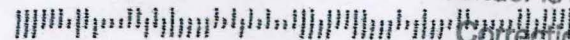
Office of Clerk

United States District Court

800 Market St. Suite 130

Knoxville, TN. 37902

37902-230330



Legal Mail

Sender is an inmate of
Correctional Facility